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In re Application of	:	
DETTMANN, et al.	:	DECISION ON REQUEST
Application No.: 09/936,087	:	
PCT No.: PCT/EP99/01859	:	UNDER 37 CFR 1.497(d)
Int. Filing Date: 03 March 2000	:	
Priority Date: 06 March 1999	:	
Attorney Docket No.: 785A 3140 PCT	:	
For: SYSTEM FOR WRITING MAGNETIC	:	
SCALES	:	

This decision is in response to applicant's "Renewed Petition Under 37 CFR 1.497(d)" filed 24 April 2002.

### **BACKGROUND**

On 25 February 2002, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.497(d) to add Carsten MOLLER and Torsten SCHONBACH as inventors for the above-identified application. Applicant was afforded two months in which to file a request for reconsideration.

On 24 April 2002, applicant filed the present renewed petition under 37 CFR 1.497(d).

### **DISCUSSION**

As discussed in the decision mailed 25 February 2002, a request under 37 CFR 1.497(d) [formally, 37 CFR 1.48] to correct an error in naming inventorship requires:

- (1) a petition including a statement from each person being added or deleted as an inventor that the error in inventorship occurred without any deceptive intention on his or her part;
- (2) an oath or declaration by the actual inventor(s) as required by 37 CFR 1.63;
- (3) the fee set forth in 37 CFR 1.17(i); and
- (4) if an assignment has been executed by any of the original named inventors, the written consent of the assignee in compliance with 37 CFR 3.73(b).

Applicant previously satisfied Item (3) above.

As to Item (1), applicant has now provided statements from Carsten MOLLER and Torsten SCHONBACH declaring that the error occurred without any deceptive intention on his or her part.

Regarding Item (2), applicant has presently filed a compliant declaration executed by joint inventors Fritz DETTMANN, Uwe LOREIT, Carsten MOLLER and Torsten SCHONBACH.

As to Item (4), applicant has now provided the written consent of the assignee in compliance with 37 CFR 3.73(b).


Therefore, applicant has satisfied all four items above and it is proper to **GRANT** the request under 37 CFR 1.497(d) at this time.

### **CONCLUSION**

For the reasons discussed above, the request under 37 CFR 1.497(d) is **GRANTED**.

A review of the application papers reveals that applicant has now completed all the requirements of 35 U.S.C. 371 for entry into the national stage. This application will be given an international application filing date of 03 March 2000 and a date of **24 April 2002** under 35 U.S.C. 371.

The application is being returned to the United States Designated/Elected Office for further processing in accordance with this decision



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